

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 8-12-08

GRANVIA TRADING LTD.

Plaintiff,

-vs-

SUTTON CREATIONS, INC. d/b/a
SUTTON CREATIONS,

Defendant.

SUTTON CREATIONS, INC.

Third-Party Plaintiff,

-vs-

GALAHAD ENTERPRISES LTD., BURLINGTON
COAT FACTORY WAREHOUSE CORPORATION,
SHERRY MILKEY and DEVIN INDUSTRIES, LLC,

Third-Party Defendants.

08 CIV. 580 (LBS) (KNF)

**INITIAL SCHEDULING
ORDER**

ECF CASE

This Scheduling Order and Case Management Plan is adopted in accordance with Fed. R.
Civ. P. 16-26(f).

1. This case **is not** to be tried by a jury;
2. Joinder of additional parties to be accomplished by **August 31, 2008**.
3. Amended pleadings may be filed without leave of the Court until **October 1, 2008**.
4. Initial disclosure pursuant to Fed. R. Civ. P. 26(a)(1) to be completed within _____ days
of the date of this Order or by (completed)
5. All fact discovery is to be completed within ninety (90) days of the date of this Order.

The parties are to conduct discovery in accordance with the Federal Rules of Civil Procedure and the Local Rules of the Southern District of New York. The following interim deadlines may be extended by the parties on consent without application to the Court, provided the parties are certain that they can still meet the discovery completion date ordered by the Court.

- A. Initial requests for production of documents to be served by **August 22, 2008**.
- B. Interrogatories to be served by all parties by **August 22, 2008**.
- C. Depositions to be completed by **October 15, 2008**.
 - I. Unless the parties agree or the Court so orders, depositions are not held until all parties have responded to initial requests for document production.
 - II. Depositions of all parties shall proceed during the same time.
 - III. Unless the parties agree or the Court so orders, non-party depositions shall follow party depositions when possible.
- D. Any additional contemplated discovery activities and the anticipated completion date:
Plaintiff(s)
Defendant(s): **Subpoenaed depositions of Sherry Milkey, Galahad Enterprises Ltd. and Devin Industries LLC.**

- E. Requests to Admit to be served no later than **October 1, 2008**.

6. Parties' expert reports, witness lists and identification of documents pursuant to Fed. R. Civ. P. 26(a)(2), (3) and 35(b) by:

- A. Plaintiff - **October 15, 2008**.
- B. Defendants - **October 15, 2008**.

7. Contemplated motions; Plaintiff contemplates moving for **summary judgment**, at least as to the issue of liability. Third-Party Defendant Burlington Coat Factory Warehouse Corp.

contemplates moving for summary judgment.

8. Following discovery, all counsel must meet for at least one hour to discuss settlement by **November 14, 2008.**

9. Do parties consent to trial by a Magistrate Judge under 28 U.S.C. § 636(c)? **No**

TO BE COMPLETED BY THE COURT:

10. The next Case Management Conference is schedule for October 7, 2008 at 10am

11. The Joint Pretrial Order shall be filed no later than December 8, 2008.

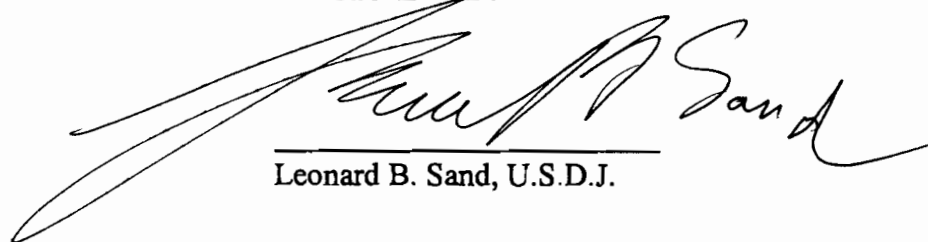
The Joint Pretrial Order should be in accordance with Judge Leonard B. Sand's Individual Practices. If this is a jury trial, proposed voir dire and jury instructions shall be filed with the Joint Pretrial Oder. No motion for summary judgment shall be served after the deadline fixed for the Joint Pretrial Order.

12. Final Pre-trial Conference is December 15, 2008 at 10am

13. Trial date is To be Scheduled.

DATED: New York, New York
August 11, 2008

SO ORDERED:



Leonard B. Sand, U.S.D.J.